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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/507,004	02/22/2000	Stefanos Manganaris	RSW9-99-148	2371

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EXAMINER

BACHNER, REBECCA M

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 05/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/507,004

Applicant(s)

MANGANARIS ET AL.

Examiner

Rebecca M Bachner

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Detailed Action

This is a first office action on the merit. Claims 1-5 are pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al.

As per claim 1, Chen et al. disclose a computer-implemented method of processing market research data including aggregate sales data concerning items grouped in a plurality of market baskets and sold during retail sales transactions of a retailer, said method comprising the steps of (see column 3, lines 47-50):

Receiving analysis parameters from said retailer for use in analyzing said market research data (see column 2, lines 14-25, analysis parameters are received for analyzing the enterprise data);

Receiving said aggregate sales data (see column 2, lines 40-45, aggregate data is received);

Analyzing said aggregate sales data based on said market basket groupings and determining if any of said market basket groupings display characteristics identified by said analysis parameters (see column 2, lines 51-63, and column 5, lines 51-61, the data is analyzed based upon characteristics); and

For all market basket groupings which have been determined to display said characteristics, enhancing said aggregate sales data concerning each market basket grouping by embedding in said aggregate sales data an "imaginary item" for each characteristic(s) displayed by each market basket grouping (see column 2, lines 46-67, the data is grouped based upon characteristics, and the attributes of the data are used to create a data model, also see column 3, lines 5-13, and 36-50, application-specific entities can be embedded into activity components).

As per claim 2, Chen et al. disclose all the limitations of claim 1, wherein said method further comprises the steps of:

Performing associating analysis on said enhanced market basket grouping data to generate association rules and frequently itemsets (see column 5, lines 62-67, through column 6, lines 1-122, association analysis is performed generating rules and itemsets); and

Displaying and archiving said association rules and frequent itemsets (see column 5, lines 64-66, the customer analysis functions are rules and can be displayed and archived).

As per claim 3, Chen et al. disclose all the limitations of the method set forth in claim 2, further comprising the step of: processing said association rules and frequent itemsets to develop conclusions about said marketing research data (see column 3, lines 51-67, the rules and functions of the itemsets are used to develop conclusions about the marketing research data).

As per claim 4, Chen et al. disclose all the limitations of the method as set forth in claim 2, wherein said aggregate sales data comprises merchandise information, said merchandise information including:

As identification element identifying each sold item (see figure 4B, column 9, lines 52-63, the data contains information about the sold items);

Transactional information corresponding to each sold item (see figure 4B, column 9, lines 52-63, the data contains information about the transactions and billing information of each item); and

Financial information corresponding to each sold item and wherein said merchandise information is input to a merchandise taxonomy to establish logical links between said identification elements, said transactional information, and said financial information so that said merchandise information can be utilized for market basket

analysis (see figure 4B, and column 9, lines 64-67, through column 10, lines 1-9, sales information is associated with the elements and can be utilized for analysis).

As per claim 5, Chen et al. disclose all the limitations of the method as set forth in claim 4, wherein said aggregate sales data comprises information linking the merchandise information of each sold item in a particular market basket to all other items in said particular market basket (see figure 4B, column 9, lines 52-63, the data contains information about the sold items and this information is linked together in the data model).

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Walter et al. (P.N. 6,334,110) discusses a system and method for analyzing customer transactions.

Jenkins (P.N. 6,285,983) discusses a marketing system and method for aggregating customer information and using targeted marketing.

Riordan et al. (P.N. 6,708,891) discusses a system and method for POS marketing and analyzing data.

Agarwal et al. (P.N. 6,311,179) discusses a system and method for associating items in a database.

Gard (P.N. 6,009,407) discusses a method for analyzing market data.

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"Every Transaction Tells a Story" in Chain Store Age Executive with Shopping Age Center discusses a method for market basket analysis and why it is beneficial.


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rebecca Bachner whose telephone number is 703-305-1872. The examiner can normally be reached Monday - Friday from 8:30am to 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 703-305-9643.

The fax numbers for the organization where this application or proceeding is assigned are as follows:

703-746-7238	[After Final Communication]
703-746-7239	[Official Communications]
703-746-7240	[For status inquiries, draft communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

RMB
RMB
April 24, 2002


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER ~~2100~~ 3600